

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

SAMUEL FOREST BURKE,

Plaintiff,

v.

CHARTER COMMUNICATIONS, INC.

Defendant.

Case No. 1:24-cv-00774-CDB

ORDER ON STIPULATION REFERRING  
ALL CLAIMS TO ALTERNATIVE  
DISPUTE RESOLUTION PROGRAM  
AND STAYING ACTION

(Doc. 7)

30-day Deadline

On or about May 31, 2024, Plaintiff Samuel Forest Burke (“Plaintiff”) filed this action against Defendant Charter Communications, Inc. (“Defendant”) in Kern County Superior Court. (Doc. 1). Plaintiff brings the following causes of action against Defendant: (1) disability discrimination and wrongful termination in violation of the Fair Employment and Housing Act (“FEHA”); (2) failure to accommodate disability in violation of the FEHA; (3) failure to engage in interactive process in violation of the FEHA; (4) wrongful termination in violation of public policy; and (5) failure to timely produce personnel and payroll records. (Doc. 1-1). Defendant removed the action to this Court on July 3, 2024. (Doc. 1).

Pending before the Court is the parties’ stipulation to submit all claims to Defendant’s alternative dispute resolution program and to stay the action. (Doc. 7). The parties represent they have agreed to submit Plaintiff’s claims to Defendant’s alternative dispute resolution program,

1 which includes arbitration before the American Arbitration Association (“AAA”). *Id.* The  
2 stipulation includes the parties’ mutual arbitration agreement. (Doc. 7-1).

3 Accordingly, in light of the parties’ representations and good cause appearing, it is  
4 **HEREBY ORDERED:**

- 5 1. Within 30 days after receipt of this order, Plaintiff SHALL SUBMIT any claims  
6 asserted in this action that he wishes to pursue to Defendant’s alternative  
7 resolution program, which includes binding arbitration before the AAA, pursuant  
8 to the parties’ stipulation;
- 9 2. The parties SHALL FILE a joint notice informing the Court of the status of  
10 scheduling arbitration with AAA within 30 days of the date of this order;
- 11 3. This action is STAYED pending the outcome of the arbitration;
- 12 4. The parties SHALL FILE a joint notice informing the Court of the status of  
13 arbitration every 120 days following the date of entry of this order until arbitration  
14 is completed;
- 15 5. Within 14 days of the completion of arbitration, the parties SHALL FILE a joint  
16 notice informing the Court that arbitration has been completed and describing the  
17 parties’ intentions with respect to the disposition or continued prosecution of this  
18 case; and
- 19 6. All pending court dates are VACATED.

20 **IT IS SO ORDERED.**

21 Dated: **September 13, 2024**

22   
23 **UNITED STATES MAGISTRATE JUDGE**